

Holland & Knight

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September 21, 2023

By Electronic Filing

Michael E. Gans, Clerk of Court
United States Court of Appeals for the Eighth Circuit
Thomas F. Eagleton Courthouse
111 South 10th Street
St. Louis, Missouri 63102

Re: No. 23-1021; Don Sanders v. BNSF Railway Company

Dear Mr. Gans:

Pursuant to the Court's September 8, 2023 notice, counsel for Appellant, BNSF Railway Company, Bryan P. Neal, notifies the Court of the following significant conflicts as to the remaining argument calendar dates:

December 11 – 15, 2023 - St. Louis, Missouri

December 11 – 15, 2023 - St. Paul, Minnesota

June 10 - 14, 2024 - St. Louis, Missouri

June 10 - 14, 2024 - St. Paul, Minnesota

Counsel respectfully requests that oral argument not be set during those two windows. Thank you for your consideration in this matter.

Respectfully submitted,
/s/
Bryan P. Neal

c: All appearing counsel (by electronic filing)

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CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2023, BNSF Railway Company served this letter to all counsel of record through ECF notification system.

/s/Bryan P. Neal _____
Bryan P. Neal
Attorney for Appellant BNSF Railway
Company

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